

Remarks:

This amendment is submitted in an earnest effort to advance this case to issue without delay.

The specification has been amended to eliminate some minor obvious errors. No new matter whatsoever has been added. The specification has been amended to recite references 26 and 27 so that no amendment of the drawing is needed. No mention of references 34 and 36 could be found in the application text or drawing.

New main claim 20 describes the inventive cross-cutting machine and now states that the two frame parts are each unitarily formed by casting with an outwardly open and generally semicylindrical half bearing races. The two half races together form a full bearing race holding a respective bearing for a respective drum end.

New independent claim 25 describes how the main part is formed with a vertical seat and a horizontal step, with the secondary frame part sitting on the step. This style of mounting is extremely advantageous, in that it ensures perfect alignment of the two housing parts.

The main reference, US patent 4,428,265 of Bolton describes a longitudinal slitter. Thus this apparatus relates to a different type of machine, not to a cross cutter like the instant invention. The entire thrust of the Bolton case is to provide a system for axially biasing the cutter drums against each other and little is said about the structure of the frame holding the cutter drums.

Furthermore in Bolton the bearing outer races are separate from the frame parts, not integrally formed therewith, so that there is a structural difference here making a §102 rejection impossible. Since in Bolton it is necessary to be able to axially shift the bearings, making a bearing race integral would render the Bolton invention unworkable, so that such a modification is not obvious. It is never obvious to modify a structure so that it does not do what it is supposed to do. This makes a §103 rejection of claim 20 also impossible.

Since in Bolton the two frame parts are identical and are joined at a plane with no step, the alignment step defined in new claim 25 is clearly different, again obviating a §102 rejection. As there is no suggestion to differently shape the frame parts a §103 obviousness rejection of claim 25 on Bolton is similarly out of the question.

Furthermore it is noted that nothing in Bolton says that the two frame parts are actually unitarily formed with their traverses and sides. The text is simply silent in this regard.

Evidently the reference is being interpreted in view of the instant application since the standard prior-art practice is to make such frames in several pieces and then assemble them together, not form then "unitarily by casting" as clearly described in the independent claims.

US patent 3,720,126 of Kranz is not as pertinent as the Bolton reference, and relates to a punch, not a cross cutter like the instant invention. Interpreting this reference with eyes taught by the instant invention as was done with Bolton, that is assuming the lower frame part is unitarily formed, one can see that there are two upper frame parts that are not connected together by anything resembling integral structure. Thus this reference represents the admitted state of the prior art. Hence this reference adds nothing to the teachings of Bolton to improve the §103 rejection of the claims.

For these reasons all the claims in the case are felt to be in condition for allowance. Notice to that effect is earnestly solicited.

If only minor problems that could be corrected by means of a telephone conference stand in the way of allowance of this

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case, the examiner is invited to call the undersigned to make the necessary corrections.

Respectfully submitted,
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30 December 2004
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Enclosure: Request for extension (three months)